

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
ST. PAUL DIVISION**

In the Matter of the Complaint of)	
STEVEN SOMMER, Owner of the)	Case No. 0:20-cv-02499
Motor Vessel "SOMMER WINE" f/k/a)	
"RAGAMA" for Exoneration From or)	
Limitation of Liability,)	
)	In Admiralty
Plaintiff.)	

AD INTERIM STIPULATION FOR STEVEN SOMMER

WHEREAS, Plaintiff, Steven Sommer, as owner of the Motor Vessel "SOMMER WINE" f/k/a the "RAGAMA", a 40-foot Pacemaker cruiser, built in 1976, with Hull Identification Number PAC40411M76F (the "Motor Vessel"), has instituted a proceeding in this Court for exoneration from or limitation of any liability as such owner, in respect of all claims, including all claims arising from the death of Richard Bishop, Jr. and any other claims of any type or nature, which arise or are alleged to arise from a certain incident on August 7, 2019, in which Richard Bishop, Jr., without the knowledge or consent of Steven Sommer, fell or jumped into the Mississippi River from the Motor Vessel while the Motor Vessel was moored to the dock at Twin City Marina Dock C in Inver Grove Heights, Minnesota ("the Occurrence"), all as more particularly set forth in the Complaint filed herein. Richard Bishop, Jr. died as a result of drowning and/or injuries sustained in the Occurrence.

Steven Sommer, as owner, requests, among other things, that the Court will cause due appraisement to be made of the value of his interest in the Motor Vessel, and her freight pending, if any, and that pending such due appraisement, Plaintiff be allowed to file an Ad Interim Stipulation for Value and that notice may issue to all persons claiming damages for death, loss, damage, injury or destruction by or resulting from the Occurrence described in the Complaint,

citing them to file their respective claims with the Clerk of this Court and serve on or mail to the attorneys for the Plaintiff a copy thereof, and to answer the Complaint herein, and that an injunction issue restraining the commencement and/or prosecution of any and all actions, or suits, or legal proceedings except under and in pursuance of the notice granted herein; and

WHEREAS, the Plaintiff wishes to prevent the commencement or prosecution hereafter of any and all actions, or suits, or legal proceedings of any nature or description whatsoever in any and all courts, and also wishes to provide an Ad Interim Stipulation for Value as security for claimants pending the ascertainment of the amount of Plaintiff's interest in the Motor Vessel and her freight pending, if any.

NOW, THEREFORE, in consideration of the premises, Steven Sommer, as owner of the Motor Vessel, hereby undertakes in the sum of \$22,000.00, with interest at six percent (6%) per annum, and costs, that the Plaintiff will pay into Court the appraised amount of value of Plaintiff's interest in the Motor Vessel, and her freight pending, if any, or will file in this proceeding a Surety Bond in the usual form, a copy of which is attached hereto, or otherwise comply with the Court's orders as provided for by Supplemental Rule F for Certain Admiralty and Maritime Claims, effective July 1, 1966, and the Local Rules of this Court, pending which this Stipulation shall stand as security for all claims in this limitation proceeding. Plaintiff hereby submits himself to the jurisdiction of the Court and agrees to abide by all orders of the Court and to pay the amount awarded by the final decree rendered by this Court or by an appellate court, if an appeal intervenes, with interest at six percent (6%) per annum from the date hereof, and costs, unless the amount or value of the Plaintiff's interest in the Motor Vessel and her freight pending, if any, shall be paid into Court by the Plaintiff or a Stipulation for Value therefore shall be given, this Stipulation shall stand as security for all claims in said proceeding.

STEVEN SOMMER

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